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COMMITTEE OF THE WHOLE

RECORD OF THE SIXTH MEETING

Held at the Austria Center Vienna
on Thursday, 2 October 1997, at 3.35 p.m.

Chairman: Mr. STRATFORD (United States of America)

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[*] GC(41)/28.

The composition of delegations attending the session is given in document GC(41)/INF/17/Rev.2.

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Abbreviations used in this record

AFRA	African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology
ARCAL	Regional Co-operative Arrangements for the Promotion of Nuclear Science and Technology in Latin America
Joint Convention	Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management
RCA	Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (for Asia and the Pacific)

STRENGTHENING OF THE AGENCY'S TECHNICAL CO-OPERATION ACTIVITIES (resumed)
(GC(41)/COM.5/3)

1. The CHAIRMAN pointed out that copies of a draft resolution text which the Committee might recommend to the General Conference for adoption had been distributed.

2. Mr. RAGHURAMAN (India), having thanked those who had taken part with him in the consultations which had resulted in the text just distributed, suggested that in operative paragraph 6 the words "and further requests the Director General to report on progress achieved to the General Conference at its forty-second session" be deleted.

3. Mr. LASH (United States of America) said that his delegation could support the new text on the understanding that, starting in 1998, the Director General's reports on strengthening the Agency's technical co-operation activities would be incorporated into the annual reports on the Agency's technical co-operation activities.

4. The CHAIRMAN assumed that the Committee wished to recommend to the General Conference that it adopt the draft resolution text just distributed with the deletion suggested by the representative of India.

5. It was so agreed.

6. Mr. KASTENS (Head, Concepts and Planning Section, Department of Technical Co-operation), referring to paragraph 6 of the text which had been under consideration, said that, as had been made clear in a recent statement by the Deputy Director General for Technical Co-operation to AFRA, ARCAL and RCA member countries, the Department of Technical Co-operation would like to see the more advanced scientific and technical institutes in developing countries assuming a leadership role in the regions where they were located.

7. The designation of such institutes as regional centres of excellence would take place on the basis of clear criteria and after agreement had been reached between the Secretariat and Member States in the regions concerned.

8. The Department intended to report to the Board in 1998 on the question of regional centres of excellence.

STRENGTHENING THE EFFECTIVENESS AND IMPROVING THE EFFICIENCY OF THE SAFEGUARDS SYSTEM (resumed)
(GC(41)/COM.5/13)

9. The CHAIRMAN pointed out that again copies of a draft resolution text which the Committee might recommend to the General Conference for adoption had been distributed.

10. Mr. PECSTEEN (Belgium), having thanked those who had taken part with him in the consultations which had resulted in the text just distributed, said that, although the text was not ideal, he hoped the Committee would recommend by consensus that the General Conference adopt it.

11. Most of the co-authors of the draft resolution contained in document GC(41)/COM.5/13 had made it clear that they would not accept changes to the text just distributed; if there was pressure to change it, they would have no option but to press for acceptance of their original resolution.

12. Mr. GASHUT (Libyan Arab Jamahiriya) said that some States would have to amend certain of their laws before some Programme 93+2 Part 2 measures could be implemented, so that there would inevitably be implementation delays.

13. The CHAIRMAN assumed that the Committee wished to recommend to the General Conference that it adopt the draft resolution text which had just been distributed.

14. It was so agreed.

15. Mr. RAGHURAMAN (India) commended the delegations of Belgium, the United Kingdom and Pakistan for their role in helping to produce the compromise text.

16. Mr. SARWAT (Egypt) said that his country, which, during the work on developing the Model Protocol, had demonstrated its commitment to strengthening the Agency's safeguards, hoped that the strengthened safeguards system would be implemented

equitably and that Programme 93+2 would not become another symbol of the imbalance in the nuclear non-proliferation regime. Most of his country's views were taken into account in the Model Protocol, but his country would have liked to see stronger provisions for universal implementation of the strengthened safeguards system, with all countries - whether or not they used nuclear power and whether they had comprehensive or partial safeguards agreements with the Agency - treated equally.

17. Egypt hoped that Programme 93+2 would lead to an increase in co-operation in the peaceful utilization of nuclear energy between the Agency and Member States and among Member States and that national nuclear energy programmes would become more transparent without the technological and economic development of the States concerned thereby being adversely affected. It looked forward to a time where there would be no need for concern regarding the possible existence of undeclared nuclear programmes and transfers of nuclear technology for non-peaceful purposes.

MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR, RADIATION AND WASTE SAFETY (resumed)
(GC(41)/COM.5/2)

18. Ms. OK (Turkey) said that the draft resolution in document GC(41)/COM.5/2 was the result of consultations between Turkey and many other countries. Her country would like the report envisaged in operative paragraph 1 to cover the transport of radioactive materials by air, sea, rail and road.

19. Ms. DORAN (Ireland) said that her country was concerned about the safety of transport of radioactive materials and that her delegation therefore welcomed the draft resolution submitted by Turkey.

20. With regard to preambular paragraph (f), the phrase "the concerns of some States" seemed to be unnecessarily limiting; it was not just "some" States that were concerned about the safety of transport of radioactive materials. She proposed that preambular paragraph (f) be amended to read "Taking into account the fact that the safety of transport

of radioactive materials is important for the protection of populations and the environment,".

21. Mr. WÓJCIK (Poland) proposed that in operative paragraph 1 of the draft resolution the words "the status of the existing" be added after the words "a report on" and that the words "to serve as the basis for further consideration and possible action" be deleted.

22. Mr. McINTOSH (Australia) said that in his view the words "status of the existing" would be too limiting.

23. Mr. KEMPEL (Austria) expressed support for the proposal made by the representative of Ireland regarding preambular paragraph (f) and for the view expressed by the representative of Australia regarding the words "status of the existing".

24. Mr. KAYSER (Luxembourg) expressed support for the proposal made by the representative of Ireland regarding preambular paragraph (f) and for the proposal made by the representative of Poland that the words "to serve ... action" be deleted in operative paragraph 1. As regards operative paragraph 2, he proposed that the words after "regular session" be deleted.

25. In addition, he proposed that preambular paragraph (d) be moved up to immediately after preambular paragraph (a).

26. Mr. PERRIN (Switzerland) expressed support for the proposal made by the representative of Ireland.

27. Mr. TITKOV (Russian Federation) expressed support for the proposals made by the representative of Poland.

28. Mr. BOUZOUITA (Tunisia), referring to the proposal made by the representative of Ireland with regard to preambular paragraph (f), said that a number of States - particularly African ones - had expressed concerns about the safety of transport of radioactive materials. The words "the concerns of some States" were meant to reflect that

fact. However, his delegation would go along with the proposal if the Turkish delegation was willing to do so.

29. Ms. MOSLEY (New Zealand) said that her country was one of those which had expressed concerns about the safety of transport of radioactive materials, but that her delegation also would be guided by the Turkish delegation.

30. As regards operative paragraph 1, her delegation would like it to be left unchanged.

31. Mr. TAKAOKA (Japan) associated himself with the comments made by the representative of Luxembourg.

32. Mr. SARWAT (Egypt) suggested that preambular paragraph (f) be left unchanged and that the wording proposed by the representative of Ireland be included in the draft resolution as an additional preambular paragraph.

33. As regards operative paragraph 1, he called for retention of the phrase "to serve ... action".

34. Finally, he proposed the insertion of the word "transboundary" before "transport" in the title of the draft resolution.

35. Mr. PETROV (Bulgaria) said that insertion of the word "transboundary" in the title might have an excessively limiting effect; a transport incident occurring some way from a national boundary could have a transboundary impact but it might not be included within the scope of the envisaged study if the safety of only the transboundary transport of radioactive materials was the subject.

The meeting was suspended at 4.25 p.m. and resumed at 5.15 p.m.

36. Mr. PECSTEEN (Belgium) said his delegation could go along with the draft resolution if preambular paragraph (f) was amended in the manner proposed by the representative of Ireland, if the phrase "to serve ... action" was deleted in operative paragraph 1 and if the words after "regular session" were deleted in operative paragraph 2.

37. Mr. McINTOSH (Australia) called for retention of the present title of the draft resolution and expressed support for deletion of the phrase "to serve ... action" in operative paragraph 1.

38. Mr. POLUREZ (Ukraine) also expressed support for deletion of the phrase "to serve ... action" in operative paragraph 1.

39. Mr. BALMACEDA SERIGOS (Chile), speaking also on behalf of Argentina, Brazil and Uruguay, expressed support for the draft resolution submitted by Turkey, which touched upon a matter of great importance to the four countries.

40. In their view, preambular paragraph (f) should be retained and the wording proposed by the representative of Ireland should be included as a separate paragraph, and operative paragraphs 1 and 2 should be left unchanged.

41. Mr. LABROSSE (France) said that preambular paragraph (c) should be brought more closely into line with the wording of resolution GC(XXXIV)/RES/530.

42. As regards the operative paragraphs, he was in favour of deletion of the phrase "to serve ... action" and of the words following "regular session".

43. Mr. YENNIMATAS (Greece) said that the fact that, as stated in preambular paragraph (d), the off-site transportation of radioactive waste and spent fuel was excluded from the scope of application of the Joint Convention seemed to be the reason why the draft resolution had been submitted to the Conference. In his view, submission of the draft resolution was an attempt to raise an issue which the Diplomatic Conference on the Joint Convention had not been willing to deal with, and he was not happy about that.

44. Mr. KAYSER (Luxembourg), supported by Mr. McINTOSH (Australia), said that the transportation issue had been excluded from the scope of application of the Joint Convention simply because the members of the Open-ended Group of Legal and Technical Experts had felt that it was too complicated for inclusion.

45. Ms. OK (Turkey) thanked the representative of Luxembourg for putting the record straight.

46. Ms. CLIFF (United Kingdom) and Mr. PECSTEEN (Belgium) expressed support for what the representative of France had said regarding preambular paragraph (c).

47. The CHAIRMAN suggested - after further discussion, in which Mr. PACALA (Slovakia), Mr. SARWAT (Egypt), Mr. TWIST (Ireland), Mr. YENNIMATAS (Greece), Mr. PETROV (Bulgaria) and Ms. OK (Turkey) participated - the following changes to the draft resolution: amendment of preambular paragraph (c) to read "... and in which it decided to keep the question of international transboundary movement of radioactive waste under active review, including the desirability of concluding a legally binding instrument under the auspices of the IAEA"; the moving of preambular paragraph (d) up to immediately after preambular paragraph (a); the amendment of preambular paragraph (f) to read "Aware of the concerns about the safety of transport of radioactive materials and of its importance for the protection of populations and the environment"; the amendment of operative paragraph 1 to read "... to prepare for consideration at the June 1998 session of the Board ... and their implementation"; and the deletion of the words following "regular session" in operative paragraph 2.

48. The text so amended would be distributed before the next meeting.

The meeting rose at 6 p.m.